

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

6
58
11/5/03

In re Patent Application of

MIYACHI et al.

Serial No. 09/878,358

Filed: June 12, 2001



Atty. Ref.: 1035-328

Group: 2675

Examiner: Alphonse, F.

For: LIQUID CRYSTAL DISPLAY DEVICE, IMAGE DISPLAY DEVICE, ILLUMINATION DEVICE AND EMITTER USED THEREFOR, DRIVING METHOD OF LIQUID CRYSTAL DISPLAY DEVICE...

* * * * *

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

RECEIVED
OCT 22 2003
Technology Center 2600

Sir:

ELECTION UNDER 35 USC §121

In response to the Office Action dated September 11, 2003, Applicant elects Species 3 (the species of Fig. 26, claims 130-139) for further prosecution in the event no generic claim is finally held to be allowable. Applicant deems claim 132 to be generic.

This election is made without traverse. However, since a restriction requirement is never proper unless the restricted group of claims is patentably distinct (i.e., inter alia, non-obvious under 35 USC §103) from the elected group of claims, the Examiner is requested to insure that such patentable distinctness is present before proceeding to make the requirement final.

It is respectfully requested that the non-elected claims be retained.

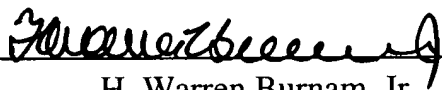
The Commissioner is authorized to charge the undersigned's deposit account no. 14-1140 in whatever amount is necessary for entry of this Amendment and the continued pendency of the captioned application, including but not limited to any extension of time fees.

MIYACHI et al.
Serial No. 09/878,358

Should the Examiner feel that an interview with the undersigned would facilitate allowance of this application, the Examiner is encouraged to contact the undersigned.

Respectfully submitted,
NIXON & VANDERHYE P.C.

October 9, 2003

By: 

H. Warren Burnam, Jr.

Reg. No. 29,366

HWB:lsh
1100 North Glebe Road, 8th Floor
Arlington, VA 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100